

**REMARKS**

Claims 1, 3, 9, 13, 14, 20, 22, 23 and 26 have been amended; claims 2, 19, 24 and 25 have been canceled. Thus, claims 1, 3-18, 20-23 and 26-29 are currently pending in the case. Further examination and reconsideration of the presently claimed application are hereby respectfully requested.

**Allowable Subject Matter**

Claims 2-6, 9, 10, 20, 24 and 25 were objected to for being dependent upon rejected base claims, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. The Office Action states some reasons for allowance of claims 2-6, 9, 10, 20, 24 and 25 in the section of the Office Action entitled "Allowable Subject Matter." Applicant asserts that it is the combinations of features in these claims that render the claims distinguishable over the cited art, not just the portions of the claims cited in the Office Action.

Applicant sincerely appreciates the Examiner's recognition of the patentable subject matter recited in claims 2-6, 9, 10, 20, 24 and 25 and awaits allowance of the remaining claims in the case. To expedite prosecution, claims 2 and 24 have been canceled and their limitations have been respectively incorporated into base claims 1 and 22. Accordingly, it is believed that claims 1 and 22, as well as claims dependent therefrom, are in condition for allowance. In addition, the allowable subject matter recited in claim 20 and intervening claim 19 has been incorporated into base claim 13. Accordingly, it is believed that claim 13 and claims dependent therefrom are in condition for allowance.

**Section 102 Rejections**

Claims 27, 28, and 29 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,584,466 to Scrbinis et al. (hereinafter "Scrbinis"). The standard for "anticipation" is one of fairly strict identity. A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. *Verilegal Bros. v. Union Oil Co. of California*, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987), MPEP 2131. Scrbinis does not disclose all limitations of the currently pending claims, some distinctive limitations of which are set forth in more detail below.

Serbinis does not disclose a computer-usable carrier medium comprising a set of program instructions that are executable on a computer for displaying a graphical user interface, which includes representations of multiple communications applications accessible with the computer and representations of multiple potential participants in a communications session. Independent claim 27 recites in part:

A computer-usable carrier medium, comprising ... a set of program instructions executable on a computer for displaying a graphical user interface including representations of multiple communications applications accessible with the computer and representations of multiple potential participants in the communications session.

Support for the previously presented amendment to claim 27 may be found, e.g., in canceled claim 24. For example, claim 24 recites in part:

The carrier medium ... further comprising fourth program instructions executable on the computer for displaying ... a graphical user interface including representations of multiple communications applications accessible with the computer and of multiple potential participants in the communications session.

In an Office Action mailed January 14, 2004, the Examiner admittedly states that dependent claim 24 contains allowable subject matter. The Examiner's statements are repeated in the current Office Action mailed January 26, 2005. This limitation, which has been repeatedly deemed allowable by the Examiner, was added to independent claim 27 in a previous Response to the Office Action mailed January 14, 2004. For at least this reason, Applicants assert that independent claim 27 should also be deemed allowable over the art of record.

In the current Office Action, the Examiner maintains a § 102(e) rejection of independent claim 27, even though allowable subject matter was added to that claim in the previous Response to the Office Action mailed January 14, 2004. In addition, the Examiner fails to demonstrate that the cited art reference (Serbinis) provides teaching for the added limitation in the current Office Action.

As noted in the previous Response to the Office Action mailed January 14, 2004, Serbinis fails to disclose "a computer-usable carrier medium comprising a set of program instructions that are executable on a computer for displaying a graphical user interface, which includes representations of multiple communications applications accessible with the computer and representations of multiple potential participants in a communications session." Accordingly, Serbinis fails to anticipate all limitations of present claim 27. A claim is anticipated only if each and every element as set forth in the claim is found,

either expressly or inherently described, in a single prior art reference. *Verdegaal Bros. v. Union Oil Co. Of California*, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987), MPEP 2131.

For at least the reasons stated above, Applicants assert that claim 27 and all claims dependent therefrom are patentably distinct over the cited art. Accordingly, removal of this rejection is respectfully requested.

### Section 103 Rejections

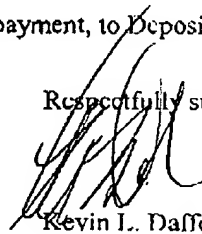
Claims 1, 7, 8, 11-19, 21-23 and 26 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Serbinis in view of U.S. Patent No. 5,887,136 to Yasuda et al. (hereinafter "Yasuda"). In light of the amendments herein incorporating allowable subject matter into independent claims 1, 13, and 22, it is asserted that claims 1, 13, and 22, as well as pending claims dependent therefrom, are in condition for allowance. Accordingly, removal this rejection is respectfully requested.

### CONCLUSION

This response constitutes a complete response to all issues raised in the Office Action mailed January 26, 2005. In view of the remarks traversing rejections, Applicants assert that pending claims 1, 3-18, 20-23 and 26-29 are in condition for allowance. If the Examiner has any questions, comments, or suggestions, the undersigned attorney earnestly requests a telephone conference.

No fees are required for filing this amendment; however, the Commissioner is authorized to charge any additional fees which may be required, or credit any overpayment, to Deposit Account No. 09-0447.

Respectfully submitted,

  
Kevin L. Daffer  
Reg. No. 34,146  
Attorney for Applicant(s)

Daffer McDaniel, LLP  
P.O. Box 684908  
Austin, TX 78768-4908  
Ph: (512) 476-1400  
Date: April 26, 2005  
JMF